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1 Michael D. Braun (167416)
BRAUN LAW GROUP, P.C.
2 12400 Wilshire Blvd., Suite 920
Los Angeles, CA 90025
3 Tel: (310) 442-7755
Fax: (310) 442-7756
4

5 **Liaison Counsel for Lead Plaintiffs**

6 Andrew M. Schatz (*Admitted Pro Hac Vice*)
Jeffrey S. Nobel (*Admitted Pro Hac Vice*)
Seth R. Klein (*Admitted Pro Hac Vice*)
7 SCHATZ & NOBEL, P.C.
One Corporate Center
8 20 Church Street, Suite 1700
Hartford, Connecticut 06103
9 Tel: (860) 493-6292
Fax: (860) 493-6290
10

11 **Lead Counsel for Lead Plaintiffs**

12 [Additional counsel appear on
signature page]

Filed

JUN - 8 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**
16 **SAN JOSE DIVISION**

18 IN RE NETOPIA, INC. SECURITIES) CASE NO.: C 04-3364 RMW (PVT)
LITIGATION) And Related Cases
19 _____)
20 This Document Relates to:) CLASS ACTION
21 _____)
22 All Actions)
23 _____)
24)
25)
26)
27)
28)

tw
[PROPOSED] AWARD TO PLAINTIFFS
PURSUANT TO 15 U.S.C. §78u-4(a)(4)

DATE: June 8, 2007
TIME: 9:00 a.m.
CTRM: 6

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1 This matter having come before the Court on June 8, 2007, on the Application for an Award
2 to Plaintiffs James P. Levy and David M. Simon ("Plaintiffs") pursuant to 15 U.S.C. §78u-4(a)(4),
3 and the Court, having considered all papers filed and proceedings conducted herein, having found
4 the settlement of this litigation to be fair, reasonable, and adequate, and otherwise being fully
5 informed in the premises and good cause appearing therefore;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

7 1. Pursuant to 15 U.S.C. §78u-4(a)(4), each of the Plaintiffs are awarded \$10,000,
8 to be paid from the Settlement Fund.

IT IS SO ORDERED.

11 DATED: 6/8/01

Ronald M. Whyte
HONORABLE RONALD M. WHYTE
UNITED STATES DISTRICT COURT JUDGE

14 | Submitted by:

15 Jeffrey S. Nobel (*Admitted Pro Hac Vice*)
SCHATZ & NOBEL, P.C.
16 One Corporate Center
20 Church Street, Suite 1700
17 Hartford, Connecticut 06103
Tel: (860) 493-6292
18 Fax: (860) 493-6290

19 | Lead Counsel for Plaintiffs

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PROOF OF SERVICE

2 STATE OF CALIFORNIA)
3 COUNTY OF LOS ANGELES)ss.:)

The ECF System is designed to automatically generate an e-mail message to all parties in the case, which constitutes service. According to the ECF/PACER system, for this case, the parties served are as follows:

11 Andrew M. Schatz, Esq. aschatz@snlaw.net
12 Jeffrey S. Nobel, Esq. jnobel@snlaw.net
13 Patrice L. Bishop, Esq. service@ssbla.com
14 Timothy J. Burke, Esq. service@ssbla.com
15 Howard S. Caro, Esq. hearo@hewm.com
yanad.burrellcarter@hellerehrman.com
16 Darren J. Check, Esq. dcheck@sbcclasslaw.com
17 Patrick J. Coughlin, Esq. patc@mwbhl.com
e_file_sd@lerachlaw.com
e_file_sf@lerachlaw.com
18
19 Robert S. Green, Esq. cand.uscourts@classcounsel.com
20 Sean M. Handler, Esq. shandler@sbcclasslaw.com
nwortman@sbcclasslaw.com
21 William S. Lerach, Esq. bill@lerachlaw.com
22 Stanley S. Mallison, Esq. stanm@mwbhl.com
e_file_sd@lerachlaw.com
e_file_sf@lerachlaw.com
23
24 Tricia L. McCormick, Esq. triciam@lerachlaw.com
e_file_sd@lerachlaw.com
e_file_sf@lerachlaw.com
25
26 **Attorneys for Plaintiffs**
27 Sara B. Brody, Esq. sbrody@hewm.com
28

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1 Susan D. Resley, Esq. sresley@ottick.com
2 Richard Marmaro, Esq. rmarmaro@skadden.com
3 Robert J. Herrington, Esq. rherring@skadden.com

4 **Attorneys for Defendants**

5 On June 1, 2007, I served the document(s) described as:

6 **[PROPOSED] AWARD TO PLAINTIFFS PURSUANT TO 15 U.S.C. §78u-4(a)(4)**

7 by placing a true copy(ies) thereof enclosed in a sealed envelope(s) addressed as follows:

8 Jules Brody, Esq.
9 Aaron Brody, Esq.
Tzivia Brody, Esq.
10 STULL, STULL & BRODY
6 East 45th Street
New York, NY 10017
11 Tel.: (212) 687-7230
Fax: (212) 490-2022

12 Marc A. Topaz, Esq.
13 Richard A. Maniskas, Esq.
Tamara Skvirky, Esq.
14 SCHIFFRIN & BARROWAY
280 King of Prussia
15 Radnor, PA 19087
Tel: (610) 667-7706
16 Fax: (610) 667-7056

17 Jeffrey D. Light, Esq.
LERACH COUGHLIN STOIA GELLER
18 RUDMAN & ROBBINS LLP
655 West Broadway, Suite 1900
19 San Diego, CA 92101
Tel: (619) 231-1058
20 Fax: (619) 231-7423

21 **Attorneys for Plaintiffs**

22 I served the above document(s) as follows:

23 BY MAIL. I am familiar with the firm's practice of collection and processing
correspondence for mailing. Under that practice it would be deposited with U.S. postal service on
24 that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course
of business. I am aware that on motion of the party served, service is presumed invalid if postal
cancellation date or postage meter date is more than one day after date of deposit for mailing in an
affidavit.

26 I further declare, pursuant to Civil L.R. 23-2, that on the date hereof I served a copy of the
27 above-listed document(s) on the Securities Class Action Clearinghouse by electronic mail through
the following electronic mail address provided by the Securities Class Action Clearinghouse:
28

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scac@law.stanford.edu

I further declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

I further declare under penalty of perjury under the laws of the United States that the above is true and correct.

5 Executed on June 1, 2007, at Los Angeles, California 90025.

/S/ LEITZA MOLINAR
Leitza Molinar